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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,056	11/13/2001	Mark Henry Pausch	01142.0101	6857
22852	7590	08/18/2006	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			WEGERT, SANDRA L	
			ART UNIT	PAPER NUMBER
			1647	

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

20060816

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Commissioner for Patents

The new claim set being examined now recites several new inventions. After the restriction petition was granted-in-part, examination should have proceeded as before, with the proviso that, in the event of allowable subject matter, additional claims would have been added to those being examined. Applicants submitted a new claim set that added to and changed the inventions being examined in pending claims (claims 26, 52, 70-80, 82, 83 and 85). See 37CFR § 1.121(c).

The restriction requirement can be a useful tool for sorting out allowable from non-allowable subject matter, thus often benefiting Applicants. However, electing claims that recite an invention (or species) and then CHANGING that invention defeats the purpose of the restriction requirement and subsequent examination. An acceptable amendment after a restriction requirement is to add new claims that recite additional inventions or species (and will thus be withdrawn until allowance) or to amend elected claims to remove non-elected subject matter.

Advisory information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra Wegert whose telephone number is (571) 272-0895. The examiner can normally be reached Monday - Friday from 9:00 AM to 5:00 PM (Eastern Time). If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Brenda Brumback, can be reached at (571) 272-0961.

The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SLW

14 August 2006

**EILEEN B. O'HARA
PRIMARY EXAMINER**